

**In the Claims:**

Following is a complete listing of the claims pending in the application, as amended:

1. (Original) A method in a distribution system for distributing images to client systems, the method comprising:

when a communication is received from the client system via a communications link, recording an indication that the client system communicated via the communications link; and

when an image is to be distributed to a client system,

determining whether a recorded indication indicates that the client system has communicated via the communications link;

when it is determined that the client system has communicated via the communications link, sending the image to the client system via the communications link; and

when it is determined that the client system has not communicated via the communications link, indicating to send the image to the client system via a mechanism other than the communications link.

2. (Original) The method of claim 1 wherein the communications link is the Internet.

3. (Original) The method of claim 1 wherein the mechanism other than the communications includes a physical computer-readable medium.

4. (Original) The method of claim 3 wherein the computer-readable medium includes a disc-based medium.

5. (Original) The method of claim 3 wherein when it is determined that the client system has not communicated via the communications link, recording the image on the computer-readable medium.

6. (Original) The method of claim 1 wherein the recorded indication includes a time associated with the received communication from the client system and wherein it is determined that the client system has communicated via the communications link if the time associated with the last received communication for the client system is within a certain period.

7. (Original) The method of claim 1 wherein when the sending of the image to the client system via the communications link fails, sending the image to the client system via a mechanism other than the communications link.

8. (Original) The method of claim 1 wherein the communication received from the client system is a heartbeat that is sent periodically by the client system.

9. – 36. (Canceled)

37. (New) An image distribution system, comprising:

a component that receives via a communications link communications from client systems;

a component that provides packages of images to be distributed to client systems;

a component that determines whether a package of images should be distributed to a client system via the communications link or via a mechanism other than the communications link based on when a communication was received via the communications link from the client system; and

a component that directs the distribution of a package of images to a client system in accordance with the determination.

38. (New) The system of claim 37 wherein the communications link is the Internet.

39. (New) The system of claim 37 wherein the mechanism is a physical computer-readable medium.

40. (New) The system of claim 39 wherein the computer-readable medium is a disc-based medium.

41. (New) The system of claim 39 including a component that records the package of images on the computer-readable medium.

42. (New) The system of claim 37 wherein the determination is made based on when a client system last communicated with the image distribution system via the communications link.

43. (New) The system of claim 37 wherein the communications received from client system includes heartbeat communications.

44. (New) The system of claim 37 including a component that sends via the communications link a package of images to a client system.

45. (New) The system of claim 37 wherein each package of images includes images selected based on preferences for the client system to which the package is to be sent.

46. (New) A method in a computer system for distribution of images to client systems, the method comprising:

receiving via the Internet heartbeat communications from each client system, the heartbeat communications being HTTP requests;

recording indication of receipt of the heartbeat communications from the client systems;

determining whether an image is to be sent to a client system via the Internet or via some other mechanism based on heartbeat communications received

from the client system as indicated by the recorded indications of the receipt of heartbeat communications; and

                  sending the image to the client communications via the Internet or via some other mechanism based on the determination.

47. (New) The method of claim 46 wherein the mechanism is a physical computer-readable medium.

48. (New) The method of claim 47 wherein the computer-readable medium is a disc-based medium.

49. (New) The method of claim 47 including recording the image on the computer-readable medium.

50. (New) The method of claim 46 wherein the determination is made based on when a client system last sent a communication via the Internet.

51. (New) The method of claim 46 including sending via the Internet the image to a client system.